

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOHN THOMPSON BEY,

Plaintiff,

CIVIL ACTION NO. 07-CV-10919-DT

vs.

DISTRICT JUDGE DAVID M. LAWSON

**RICHARD STAPLETON,
et al.,**

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

**OPINION AND ORDER
GRANTING PLAINTIFF'S MOTION TO AMEND COMPLAINT**

This matter comes before the Court on Plaintiff's Motion to Amend Complaint filed on February 25, 2008. (Docket no. 31). There is no response to this motion. This action has been referred to the undersigned for decision on all pre-trial matters. (Docket no. 24). The Court dispenses with oral argument on this motion. E.D. Mich. LR 7.1(e). This motion is now ready for ruling.

Plaintiff, a Michigan prisoner, wishes to amend his Complaint in this matter to change the date that the Sixth Circuit denied an appeal. (Docket no. 31). Rule 15(a) provides that leave to amend is to be freely given when justice so requires. Fed. R. Civ. P. 15(a). The decision whether to permit amendment is committed to the discretion of the trial court. *Lucas v. Schneider Nat'l Carriers, Inc.*, 953 F.2d 644 (6th Cir. 1992) (unpublished).

The Court finds that the ends of justice require granting Plaintiff's motion. In addition, there is no showing of prejudice to Defendants.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Amend Complaint (docket no. 31) is **GRANTED**. Plaintiff shall file his Amended Complaint on or before March 26, 2008.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: March 17, 2008

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon John Thompson and Counsel of Record on this date.

Dated: March 17, 2008

s/ Lisa C. Bartlett
Courtroom Deputy

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